

A Conservation Plan is a drawing of your lot showing existing physical improvements, proposed erosion and sediment controls, demolition and proposed construction that is used in conjunction with a building permit application for small residential projects. This publication will help clarify when a Conservation Plan may be used in lieu of a Grading Plan and the requirements for a Conservation Plan.

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WHEN CONSERVATION PLANS MAY BE USED

A Conservation Plan or a Grading Plan is required if your project:

- disturbs more than 2,500 square feet of land, or
- blocks or alters existing drainage patterns, or
- requires more than 18 inches of cut or fill (soil that is removed or added).

TIP: To calculate the minimum area of disturbance add the following: footprint of project with 10 feet added on all sides PLUS any soil stockpile area PLUS the area of a 10 foot wide access route from the street or driveway to the edge of the project footprint.

A Conservation Plan may be used in lieu of a Grading Plan if you are constructing an addition, as defined in Chapter 61 of the County Code, or an accessory structure to an existing single family home or demolishing an existing single family home, addition or accessory structure and all of the following conditions are met:

- the land disturbance as calculated above is equal to or less than 5,000 square feet; and
- drainage improvements are not required; and
- water quality controls are not required (Water quality controls are required whenever adequate water quality controls were not provided as part of the original subdivision construction or a subsequent grading plan and the existing plus new impervious area on the lot is 18% or more of the total lot area.).

TIP: In some situations, water quality controls may be waived. Any waiver must be approved prior to submission of the Conservation Plan. Contact the Site Development and Inspection Division at 703-324-1720 for additional information.

DEFINITION: An *addition* includes any new construction to an existing principal residential structure that neither exceeds 100% of the existing gross floor area of the above grade finished area nor includes the demolition of more than 50% of the existing above grade finished floor area as defined by ANSI A765-2003 standard. The ANSI Standard defines 'Above Grade Finished Area as "[T]he sum of finished areas that are entirely above grade," excluding any finished area that is either wholly or partially below grade. Unless otherwise prohibited by the Virginia Uniform Statewide Building Code, construction that exceeds either of these parameter is deemed construction of a new house, and the entire structure shall be subject to all applicable codes and ordinances required for a new house, including utilities, and shall require the issuance of a new Residential Use Permit prior to occupancy.

MINIMUM SUBMISSION REQUIREMENTS

You will need **10** copies of your Conservation Plan which must meet the requirements or show the items listed below.

- ☐ Minimum scale of 1 inch = 50 feet.
- ☐ Minimum plan size is 24 inches by 36 inches.
- ☐ The plan must be prepared and sealed by a land surveyor, engineer, landscape architect, or architect licensed in the Commonwealth of Virginia.
- ☐ Soil identification/Soils Map.

TIP: Foundation requirements must be addressed with the building plans.

- ☐ House location, address and tax map number (include State Route number for public streets and deed book and page number for private streets and access easements).
- ☐ Magisterial District.
- ☐ Zoning District and any Variance, Special Permit, Special Exception, or proffered Rezoning approvals.
- ☐ Owner information.
- ☐ Siltation and erosion control measures/plan including:
 - Erosion and sediment control narrative
 - Erosion and sediment controls
 - Arrows showing the direction of surface water flow
 - Limits of clearing and grading
 - Outfall narrative and certification

TIP: For this type of plan, erosion and sediment controls typically consist of silt fence or super silt fence and a construction entrance as needed.

- ☐ The dimensions of the lot or parcel, the lot lines thereof (with bearings and distances), and the lot area.
- ☐ Delineation of any major underground utility easements and the location of any water, storm and sanitary sewer easements and all conveyances and easements dedicated or to be dedicated to Fairfax County, the State of Virginia and the Virginia Department of Transportation. (existing and proposed – for existing easements, provide deed book and page number).
- ☐ The location, dimensions and height of any building, structure or addition, whether existing or proposed. In addition, for decks, the height of the finished floor above finished ground level and for accessory structures, the height of the highest point of the structure from finished ground level.
- ☐ The proposed elevation of the first floor level and of the lowest floor level of any proposed new building. Such elevations are not required for additions unless the proposed elevation of the lowest floor level of such addition is below the lowest floor elevation of the structure to which it is added or is required to demonstrate compliance with the floodplain regulations set forth in Part 9 of Article 2 of the Zoning Ordinance.

TIP: In demonstrating compliance with the floodplain regulations, the elevation of the lowest floor is measured at the bottom of the floor joists or at the top of a concrete slab at the lowest part of the floor.

- ☐ The existing and intended use of each building or structure or part thereof.
- ☐ The location and configuration of any existing or proposed off-street parking space(s), the number of spaces proposed to be provided, and information as to the proposed surfacing of such areas.

- ☐ Delineation of any Resource Protection Area (RPA). Construction in an RPA is prohibited unless it is for an allowed use or an exception is granted. Construction within an RPA will require submission of a Water Quality Impact Assessment (WQIA).

TIP1: If an RPA boundary delineation study has been performed for the property and approved by the County, the boundary must be based on the approved delineation. If no study has been approved, the applicant may use the boundary on the County maps with the notation "Approximate RPA boundary from Fairfax County Chesapeake Bay Preservation Area Map." New RPA boundary delineations may not be submitted as part of a Conservation Plan.

TIP2: If you are encroaching into the RPA and meet eligibility criteria for an exception for a minor addition under Section 118-5-5 of the Chesapeake Bay Preservation Ordinance (CBPO), an exception request may be submitted with the Conservation Plan on a form provided by the County. The form includes the required WQIA. Other types of exceptions and WQIAs must be approved prior to submission of the Conservation Plan. Please note that detached accessory structures are not eligible for the minor addition exception. Contact the Site Development and Inspection Branch at 703-324-1720 for additional information on eligibility and submission requirements.

- ☐ Delineation of any mapped floodplain and floodplain easement with deed book and page number.*

TIP: Not all floodplains have been mapped. Floodplains exist along any stream with a drainage area greater than 70 acres. Where unmapped floodplains exist, additional studies to determine the 100-year water surface elevation and floodplain boundary may be necessary to demonstrate compliance with the floodplain regulations. Contact the Site Development and Inspection Branch at 703-324-1720 for floodplain information and requirements.

- ☐ Delineation of any access easement to contiguous properties with deed book and page number.
- ☐ Such other information, which may include photographs, with regard to the lot, existing and proposed buildings, and existing and proposed uses thereof and such other information with regard to contiguous lots as may be necessary for the proper review of the application.
- ☐ Impervious acreage calculations (existing, proposed, change and post-development percent impervious) for Pro-Rata Share assessment and to demonstrate that post-development impervious area is less than 18% of the lot area.
- ☐ Watershed name/area disturbed within watershed
- ☐ Distance from structure corners to property lines and floodplain (set back information).
- ☐ Percentage of front yard surfaced area if lot is in the R-1, R-2, R-3, or R-4 zoning districts.
- ☐ Location of foundation drain outfall.
- ☐ Signed Wetlands Certification.
- ☐ If the lot is served by a public water and sewer:
 - Location of water and sewer lines
 - Sewer service area
- ☐ If the lot is or will be served by a septic field and/or well:
 - Septic system and/or well location, including septic field and well line routes
- ☐ Note if the site is accessed from a "Chapter 2" road.

DEFINITION: "Chapter 2" roads were dedicated as public streets but never built to state standards.

- ☐ A **Responsible Land Disturber Certification** is required before permit issuance. This certification ensures that the individual conducting the land disturbing activities holds a certificate of competence by the Virginia Department of Conservation and Recreation (DCR). The form is

available at the Site & Addressing Center located on the 5th Floor of the Herrity Building, **703-324-1730, TTY 711**.

❑ **Virginia Department of Transportation (VDOT) Permit and Bond**

If your property is on a state road, you will need to obtain a VDOT permit and post a bond for construction. Contact VDOT at **703-259-1773, TTY 711**, for additional information.

- ❑ **Height and Setback Certifications** may be required for some projects. See Land Development Notes and Technical Memoranda #09-12 Detached Single Family Dwelling Grade Definitions and #10-02 Compliance with the Minimum Yard and Location Requirements of the Zoning Ordinance at: http://www.fairfaxcounty.gov/dpwes/publications/lti/lti_archive.htm

FEES/COST

Conservation Plan Review Fee

Conservation Plan review fee information is available from the Site & Addressing Center. Call **703-324-1730, TTY 711**, for more information. Any waivers, exceptions and WQIAs needed will require additional fees. The Fee Schedule is available at: <http://www.fairfaxcounty.gov/dpwes/construction/LDSfeeschedule.pdf>.

Pro-Rata Share Assessment

The pro-rata share assessment helps recover the cost of maintaining downstream, off-site stormwater detention facilities. The assessment is based on the increase in the amount of impervious area per acre created by the proposed construction. Call **703-324-1950, TTY 711**, to obtain additional information.

Conservation Deposit

A Conservation Agreement and deposit are required to ensure that erosion and sediment control measures and required plantings shown on the conservation plan are properly installed and maintained and that the lot will be graded according to the approved conservation plan. The conservation deposit will be returned after the improvements depicted in the plan are complete and the lot is properly stabilized, provided funds have not been used to correct deficiencies.

Information on the conservation deposit, Conservation Agreement and related forms are available from the Site & Addressing Center, on the 5th Floor of the Herrity Building, **703-324-1730, TTY 711**. See page 5 for additional instructions on how these funds are released.

Health Department Fees

If your property is or will be served by a septic system or well, a fee will be charged for the review of your Conservation Plan. Contact the Health Department at **703-246-2201, TTY 711**, for additional information.

SUBMISSION AND APPROVAL PROCESS

Once your Conservation Plan has been prepared, you are ready to begin the submission and approval process.

- Step 1) **Site & Addressing Center:** Submit a building permit application and related building plans to the Site & Addressing Center on the 5th floor of the Herrity Building.

TIP: Building Plans and Conservation Plans can be reviewed concurrently.

- Step 2) **Health Department:** If the lot is or will be served by a septic system or well, take **all 10 sets** of the Conservation Plan to the Health Department (along with your building permit application, see above) for review, approval and fee payment. The Health Department is located at 10777 Main Street, Fairfax, Virginia. Staff can be contacted at **703-246-2201**.

TIP: If you have your building plans with you, the Health Department may be able to approve both your Conservation Plan and your building permit application at the same time, saving you a return trip for building plan approval.

- Step 3) **VDOT:** If your property is on a state road, take **two additional sets** of the conservation plan to VDOT for review and approval, and pay VDOT bond. Call the VDOT Permits office at **703-259-1773, TTY 711**, for additional information. VDOT is located at 4975 Alliance Drive, Fairfax, Virginia.
- Step 4) **Site & Addressing Center:** Bring **nine** sets of the conservation plan, with Health Department approval if required, to the Site & Addressing Center, on the 5th Floor of the Herrity Building for review, approval, and fee payment. You will also receive:
- a Responsible Land Disturber (RLD) Certification, which must be submitted before your approved conservation plan can be released to you;
 - a Pro Rata share form; and
 - a Conservation Agreement.
- Step 5) **Check Status:** Due to the volume of plan submissions, staff is not able to notify you regarding the status of your plan. You may verify the status of the conservation plan and whether the Pro Rata Share has been determined by:
- Checking our Web site, www.fairfaxcounty.gov/ldsnet.
 - Contacting the Site & Addressing Center at **703-324-1730, TTY 711**, or by e-mail at siteplanstatus@fairfaxcounty.gov. **Please Note:** Have your grading plan number, provided to you at plan submission, before calling.
- Step 6) **Site & Addressing Center:** Once your Conservation Plan is approved, return to the Site & Addressing Center and bring the following:
- Building Permit Application;
 - Conservation Agreement, **completed and notarized – all property owners must sign the agreement**, and the conservation deposit;
 - Completed Pro-Rata share form with payment; and
 - VDOT permit.
- After accepting your documents and payments have been made, the Site & Addressing Center will issue your approved Conservation Plan to you.
- Step 7) **Zoning:** Submit one copy of the approved Conservation Plan along with your Building Permit Application to the Zoning Permit Review Branch, 2nd floor of the Herrity Building, telephone **703-222-1082, TTY 711**. Remaining copies of the Conservation Plan are for your use; a copy must be on site at all times.
- Step 8) **Site Inspections:** Prior to beginning any land disturbing activity, contact the Site Development and Inspection Division. You may need to have a pre-construction meeting with an inspector depending on the size of the project. Call **703-324-1950, TTY 711**, for more information. Inspection staff are located on the 5th Floor of the Herrity Building and at field offices.

You must have an approved building permit before you can start disturbing any land.

CONSERVATION DEPOSIT RELEASE

When the conservation deposit is paid, the Site & Addressing Center will send you instructions for release and a Federal W-9 form along with your receipt for the escrow. After construction is complete and the lot is stabilized, you may request the release of the conservation deposit by submitting a completed Federal W-9 form to the Site & Addressing Center, 12055 Government Center Parkway, Fairfax, Virginia, 22035-5504.

Once the request is received, a site inspector will verify conformance with the approved conservation plan and stabilization of the land. The deposit will be released after inspection approval, provided the county has not expended funds to correct violations. Once the inspection is approved, please allow **60 days** for the release process.



Land Development Services

Department of Public Works and Environmental Services

Herrity Building

12055 Government Center Parkway, Fairfax, VA 22035-5504

Telephone: 703-222-0801, TTY 711

Hours of Operation:

Monday - Thursday: 8 a.m. to 4 p.m. and Friday: 9:15 to 4 p.m.

Visit us on the web at: **www.fairfaxcounty.gov/dpwes**

Fairfax County is committed to a policy of nondiscrimination in all county programs, services and activities and will provide this document in alternative formats and in different languages upon request. Please call 703-324-5033, TTY 711 or write DPWES, Room 659, the Herrity Building, 12055 Government Center Parkway, Fairfax, VA 22035-5506. Please allow at least seven working days for preparation of material.